



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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25 MAR 1999

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New York, NY 10036-2711

In re Application of  
SEIBEL et al  
Application No.: 08/765,244  
PCT No.: PCT/DE95/00775  
Int. Filing Date: 11 June 1995  
Priority Date: 16 June 1994  
Attorney Docket No.: 8484-018-999  
For: CHIMERICAL PEPTIDE-NUCLEIC  
ACID FRAGMENT, PROCESS FOR...

DECISION ON PETITION

This is a decision on applicant's "PETITION TO WITHDRAW ABANDONMENT" filed in the Patent and Trademark Office (PTO) on 23 February 1998, which urges that a proper response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed 09 June 1997, was timely filed on 30 October 1997. The petition is GRANTED as discussed below.

A review of the application file reveals that a proper response to the Form PCT/DO/EO/905 was timely filed. The response was in the form of a declaration of the inventor in compliance with 37 CFR 1.497 filed in the PTO on 30 October 1997, and a petition for a four month extension of time.

Therefore the NOTIFICATION OF ABANDONMENT was mailed in error and is hereby VACATED, and the abandonment of the application is hereby WITHDRAWN.

Counsel's Deposit Account No. 16-1150 has been charged in the amount of \$755 (fee code 218) for the extension of time.

A review of the application file reveals that all of the requirements for entry into the national stage in the US under 35 U.S.C. 371 have now been satisfied.

The application has an international filing date of 11 June 1995, under 35 U.S.C. 363, and a 35 U.S.C. 102(e) and 371(c) date of 30 October 1997.

This application is being forwarded to the National Stage Processing Branch of the International Division for the charging of the surcharge for late filing of the translation to counsel's deposit account, for the preparation and mailing of a NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495 (Form PCT/DO/EO/903) in accordance with this decision, and for the preparation and mailing of a filing receipt.



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